

Report Date: April 27, 2021

United States District CourtFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the

Apr 28, 2021

SEAN F. MCAVOY, CLERK

Eastern District of Washington**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Mark Anthony Jarvey Case Number: 0980 4:20CR06025-SMJ-1
 Address of Offender: Washington 99336
 Name of Sentencing Judicial Officer: The Honorable Salvador Mendoza, Jr., U.S. District Judge
 Date of Original Sentence: March 4, 2021
 Original Offense: Failure to Register as a Sexual Offender, 18 U.S.C. § 2250
 Original Sentence: Prison - 168 days; Type of Supervision: Supervised Release
 TSR - 60 months
 Asst. U.S. Attorney: Matthew A. Stone Date Supervision Commenced: March 4, 2021
 Defense Attorney: Alex B. Hernandez, III Date Supervision Expires: March 3, 2026

PETITIONING THE COURT

To issue a warrant.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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Violation 1 and 2 preface, combined for brevity:

On March 4, 2021, Mr. Jarvey began his term of supervised release. On March 15, 2021, all the conditions of supervision were reviewed with Mr. Jarvey, which he signed acknowledging a full understanding, to include standard condition number 3, as noted below. Mr. Jarvey was referred to Merit Resource Services (Merit) to participate in the color line program for random drug testing to complete his three mandatory drug tests as ordered by the Court. Mr. Jarvey was instructed to call the color line, Monday through Friday, and to report in person to Merit for drug testing if his assigned color, gold, was called for the day.

On April 20, 2021, a violation report was submitted to the Court requesting conditions of supervision to be modified with the consent of the offender after Mr. Jarvey provided a positive drug test for methamphetamine. The Court concurred with the recommendation to modify the conditions of supervision to include completing a substance abuse evaluation, complete any recommended treatment, and to submit to urinalysis. On April 23, 2021, after the Court's approval, the imposed conditions were reviewed with Mr. Jarvey, to include special condition number 2, as noted below.

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- 1 **Standard Condition # 3:** You must not knowingly leave the federal judicial district where you are authorized to reside without first getting permission from the court or the probation officer.

Supporting Evidence: Mark Anthony Jarvey is considered to be in violation of his term of supervised release by leaving the federal judicial district, where he is authorized to reside, without prior approval from the Court or the probation officer on or about April 26, 2021.

On April 27, 2021, the undersigned officer received a phone call from Mr. Jarvey's ex-wife stating she was calling to inform this officer Mr. Jarvey was with her at a hospital in Great Falls, Montana. The undersigned officer requested to speak with Mr. Jarvey himself and he confirmed he left the Eastern District of Washington on April 26, 2021, and was currently in Great Falls, Montana. Mr. Jarvey admitted to knowing he left the judicial district without prior approval because his ex-wife was having a medical emergency and he believed she was dying. Mr. Jarvey indicated his ex-wife had been in the hospital for about 4 days and was possibly being discharged on this date.

Mr. Jarvey later indicated a house resident where he lived in Kennewick, Washington, was arrested on April 26, 2021, and he was scared so he left the house and traveled to Montana. Mr. Jarvey stated his intentions were to stay and reside in Montana, when asked. The undersigned officer informed Mr. Jarvey he could not travel without prior authorization. He was instructed to return to the Eastern District of Washington and report in person to the probation office on April 28, 2021, by 4 p.m. Mr. Jarvey verbalized understanding.

On April 27, 2021, the undersigned officer confirmed with the house manager where Mr. Jarvey was residing that Mr. Jarvey left the house on April 26, 2021, and Mr. Jarvey had indicated the reason he was leaving was because he was going to live in Montana. The house manager indicated Mr. Jarvey was not involved in the incident in which the other house resident was arrested.

Mr. Jarvey did not have prior approval from the Court or the probation officer to leave the district.

- 2 **Special Condition # 2:** You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Mark Anthony Jarvey is considered to be in violation of his term of supervised release by failing to report for drug testing on or about April 26, 2021.

On April 27, 2021, Merit reported Mr. Jarvey failed to report for drug testing on April 26, 2021, when his assigned color, gold, was called.

The U.S. Probation Office respectfully recommends the Court issue a warrant requiring the defendant to appear to answer to the allegation(s) contained in this petition.

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I declare under penalty of perjury that the foregoing is true and correct.

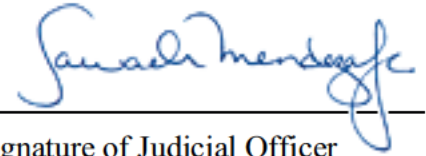
Executed on: April 27, 2021

s/Elizabeth Lee

Elizabeth Lee
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other



Signature of Judicial Officer

04/28/2021

Date